



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2011 Biennium

<b>Bill #</b>	SB0371	<b>Title:</b>	Clarify applicability of "at work" for work comp purposes
<b>Primary Sponsor:</b>	Perry, Gary L	<b>Status:</b>	As Introduced

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input type="checkbox"/> Needs to be included in HB 2  | <input type="checkbox"/> Technical Concerns              |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

### **FISCAL SUMMARY**

	<b><u>FY 2010</u></b> <b><u>Difference</u></b>	<b><u>FY 2011</u></b> <b><u>Difference</u></b>	<b><u>FY 2012</u></b> <b><u>Difference</u></b>	<b><u>FY 2013</u></b> <b><u>Difference</u></b>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

### **Description of fiscal impact:**

SB 371 clarifies "course of employment" as related to determining workers' compensation claim liability. The clarification will allow the denial of claims that are now accepted as employment related injuries. The clarification will not have an immediate system impact. It is expected to result in some future workers' compensation system cost savings. The amount of the savings is not determinable at this time.

### **FISCAL ANALYSIS**

#### **Assumptions:**

1. Current law defines employee, worker, volunteer, and volunteer firefighter. The law excludes a person "participating in recreational activity and who at the time is relieved of and is not performing prescribed duties, regardless of whether the person is using, by discount or otherwise, a pass, ticket, permit, device, or other emolument of employment", 39-71-118(2)(a), MCA.
2. As provided in this bill, current law will be stricken and replaced with language that is intended to clarify injuries that are not arising out of and in the "course of employment".
3. SB 371 cites circumstances considered not arising out of the course of employment but is not limited to these circumstances.
4. The clarification provided in this bill is expected to allow for the denial of claims related to the cited circumstances. System cost savings are expected. Though not ascertainable, the savings will develop over time.

*Sponsor's Initials*

*Date*

*Budget Director's Initials*

*Date*